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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,826	08/31/2001	Jeffrey T. Baker	Baker-1	1211

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EXAMINER

COBY, FRANTZ

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/942,826	Applicant(s) BAKER, JEFFREY T.	
	Examiner Frantz Coby	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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This is in response to Applicant's amendment filed on September 08, 2005 in which claims 18-20 were added.

Status of claims

Claims 1-20 are pending of which, claims 1 and 12 are independent claims.

Response to Arguments

Applicant's arguments filed on the aforementioned date have been fully considered but they are not persuasive. Therefore, the rejection of claims 1-20 under section 102(e) mailed on March 10, 2004 remains.

The rejection follows:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by
Broerman U.S. Patent no. 6,594,633.

As per claim 12, Broerman discloses a method to generate contract document
(See Broerman Col. 2, lines 28-37). In particular, Broerman provides "at least three databases" as property database 20 of figure 3*, scheduling database 94 of figure 3 and transaction database 90 of figure 3 and "a maintenance engine" as a search engine 84 of figure 3 for at least one of the databases. In particular, Broerman discloses the claimed feature of "generating at least one document as a function of relationships between the at least three databases (See Broerman Figures 3-4 and corresponding text). Also, Broerman discloses the claimed limitations of providing the document for review by at least one of a customer, a salesperson, and a legal specialist" (See Broerman Col. 11, lines 25-43). Last, Broerman discloses the claimed limitations of "storing the reviewed document in a protected format; and submitting the document to at least one customer (See Broerman Col. 11, lines 44-54).

As per claims 13-17, most of the limitations of these claims have been noted in the rejection of claim 12 above. In addition, Broerman discloses rules relating to information stores in any the databases of Broerman that are part of the computer

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software applications (See Broerman Col. 5, lines 10-21) incorporated in the real state computer network of Broerman for generating a contract. In Broerman, determination can be made whether "items requested by a salesperson is stored in one of the databases" through the search engine (See Broerman Figure 3, component 86). Broerman provides "a graphical user interface" (See Broerman Col. 9, lines 20-24). Further Broerman provides transmission of documents from one platform to another user the network of figure 2. Last, Broerman provides mechanism for determining if customer has authorization (See Broerman Col. 10, lines 35-62), and mechanism for notifying a salesperson that a document is being generated (see Broerman Col. 10, line 63-Col. 11, line 12).

As per claims 1-11, all the limitations of these claims have been noted in the rejection of claims 12-17. They are therefore rejected as set forth above.

As per claims 18-20, most of the limitations of these claims have been noted in the rejection of claims 1-17. Applicant's attention is directed to the rejection of claims 1-17 above. In addition, Broerman discloses the claimed features of "wherein the step of permitting the at least one of the customer, the salesperson, and the legal specialist to modify the document comprises permitting the at least one of the customer, the salesperson, and the legal specialist to modify any portion of the document" as a methodology for a buyer to modify and submitting a revise contract (See Broerman Col. 2, lines 25-37); "wherein the requested items comprise a first product and a second

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product” as real estate products and contract products (See Broerman Col. 2, lines 38-44), and “said rules relating to the requested items comprise a first rule associating first standard text with the first product, and a second rule associating second standard text with the second product” (See Broerman Col. 6, lines 9-18); “wherein said step of permitting the operator to modify data, the rules corresponding to the plurality of customers, and the rules relating to the requested items, comprises permitting the operator to modify standard text and to associate one or more of the requested items with the modified standard text” (Col. 6, lines 55-59; Col. 8, lines 20-55).

Remarks

The Applicant argued that, Broerman neither teach nor suggests at least “generating at least one document as a function of relationships between the at least three databases”. The Examiner, on the other hand, disagrees with the preceding argument because Broerman is clear on its disclosure of providing a computer platform including at least four databases wherein real estates products and contract products are generated as a function of the property database 20, the transaction database 90 the scheduling database 94 and the sales database 30 (See Broerman Figure 3 and corresponding text).

The Applicant also argued that, Broerman nowhere discloses “rules corresponding to at least one customer stored in one of the at least three databases”. The Examiner respectfully submits that the teachings of rules is achieved in Broerman

as the seller custom profile 80 which includes property information associated with a real estate property, and perhaps a plurality of such properties that are concurrently listed (Col. 7, lines 28-53).

The Applicant further argued that Broerman "does not teach a step of determining whether such rules are valid". The reference of Broerman, however, clearly provides a methodology for validation including validating rules (See Broerman Col. 10, lines 35-43). Furthermore, Broerman discloses a means for allowing an operator to modify rules or to modify any portion of a document as a methodology for a buyer to modify and submitting a revise contract (See Broerman Col. 2, lines 25-37).

Last, the Applicant argued that, Broerman does not teach whether items are stored in a first memory, second memory and third memory storage devices, the Examiner respectfully submits that Broerman provides a network of computers including first second and third memory storage devices (See Broerman Figure 2; Col. 4, line 24-Col. 5, line 60).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Friday 9:00AM-5: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571 272 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FRANTZ COBY
PRIMARY EXAMINER

April 26, 2006